

REMARKS

This paper is submitted in reply to the Decision of the Board of Patent Appeals and Interferences dated November 26, 2007, and constitutes a request to reopen prosecution in view of the new rejection issued by the Board. This paper is submitted within two months of the Decision, and therefore is timely submitted. Reconsideration and allowance of all pending claims are respectfully requested.

In the Decision, the Board reversed the Examiner's rejection of claims 1-6, 8-9, 13-16, 18-21 and 25-26 under 35 U.S.C. §102(b) based upon U.S. Patent No. 5,504,805 to Lee, but affirmed the rejection of claims 10-11, 22-23 and 27 under 35 U.S.C. §102(b) based upon U.S. Patent No. 5,561,056 to Eting. The Board also added a new rejection of claims 25-27 under 35 U.S.C. §101. Applicant respectfully traverses the outstanding rejections.

Applicant has now canceled claims 10-11, 22-23 and 27 and amended claims 25-26 herein. Applicant respectfully submits that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed. Applicant also notes that the amendments made herein are being made only for facilitating expeditious prosecution of the aforementioned claimed subject matter. Applicant is not conceding in this application that the originally claimed subject matter is not patentable over the art cited by the Examiner, and Applicant respectfully reserves the right to pursue this and other subject matter in one or more continuation and/or divisional patent applications.

In particular, Applicant has canceled claims 10-11, 22-23 and 27, for which the Examiner's rejections were affirmed. While Applicant continues to traverse the rejection, the Board did appear to indicate in the Decision that Eting does not disclose the automated determination or detection of whether a number is a telephone number, and as such, Applicant intends to file a continuation application directed to claims that highlight this distinction from Eting. Nonetheless, as these claims have been canceled, the affirmed §102(b) rejection has now been rendered moot.

With respect to the new rejection under §101, Applicant has amended claim 25 herein to recite a "physical computer readable medium storing the program," which Applicant understands to be considered statutory under the Office's current interpretation of §101. Claim

26 has also been amended to recite only a "recordable medium," which the Examiner will note from page 8, lines 22-26 of the Application as filed specifically excludes signal or transmission-type media, and includes only physical or tangible media. Applicant therefore respectfully submits that claims 25 and 26 as amended are statutory under §101, so withdrawal of the §101 rejection of these claims is respectfully requested. In addition, if the Examiner would prefer alternate language in claims 25-26 to address the §101 rejection, the Examiner is urged to contact the undersigned at 513-241-2324 to discuss any additional amendments to these claims.

Applicant respectfully submits that all outstanding rejections have been addressed herein, and that the remaining pending claims (claims 1-6, 8-9, 13-16, 18-21 and 25-26) are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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Date

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